Attorney's Docket No.: 19758-002US1 / OSP-18668

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sakae Tsuda et al. Art Unit: Unknown Serial No.: 10/549.874 Examiner: Unknown

Filed: September 15, 2005

Title : METHOD OF INHIBITING FREEZE CONCENTRATION OF SUBSTANCE IN

HYDROUS MATERIAL, METHOD FOR INHIBITING INACTIVATION OF BIOACTIVE SUBSTANCE, AND METHOD FOR PRODUCING FROZEN

PRODUCT OR FREEZE-DRIED PRODUCT CONTAINING

HOMOGENEOUSLY DISPERSED COMPONENT

### MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

### TRANSMITTAL OF COMBINED DECLARATION AND POWER OF ATTORNEY

Enclosed is the Combined Declaration and Power of Attorney document for the abovereferenced application.

The fee in the amount of \$130 for the surcharge is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted.

ER. Oulet

Date: March 20, 2006

Frank R. Occhiuti Reg. No. 35,306

Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110 Telephone: (617) 542-5070 Facsimile: (617) 542-8906

21290810 doc

Attorney's Docket No .:

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

| I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the subject matter which is claimed and for which a patent is sought on the subject of the subj

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No. Filing Date Status

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Serial No. Filing Date Status

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

 Country
 Application No.
 Filing Date
 Priority Claimed

 Japan
 P2003-078977
 March 20, 2003
 X Yes | ] No

 Yes | ] No
 Yes | ] No

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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Attorney's Docket No.: 99999-night staff Client's Ref. No.:

# Combined Declaration and Power of Attorney Page 2 of 3 Pages

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### 26161 PTO Customer Number

I hereby dealere that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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Attorney's Docket No.: 99999-night staff Client's Ref. No.:

### Combined Declaration and Power of Attorney Page 3 of 3 Pages

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